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Serial No. 10/734,467
60130-1901; 03MRA0389/90/91REMARKS

Applicant wishes to thank the Examiner for the detailed remarks. Claims 6-13 stand withdrawn. Accordingly, claims 1-5 and 14-20 are pending.

Claims 1-5 and 14-20 were rejected under 35 U.S.C. §102(b) as being anticipated by EP 0496949. Applicant respectfully traverses these rejections. The English abstract of EP '949 discloses only "the stabilizer rod (9) each comprise a continuous depression (11) with a negative wedge-shape which is provided with peripheral surfaces (flanks 11a) and into which the outer mounting part (13) with a continuous raised portion (12) with a positive wedge-shape engages with the interposition of the resilient sleeve (14) . . ." Initially, it should be noted that:

An abstract and the underlying document of which it is a summary are distinct documents. In a rejection, an abstract stands on its own--it does not incorporate by reference any disclosure of the underlying document. Abstracts are often not written by the author of the underlying document, and may be erroneous or misleading--in virtually all cases, they are incomplete.

Generally an abstract does not provide enough information to permit an objective evaluation of the validity of what it describes. Thus, an abstract is even less reliable a basis to extrapolate the alleged teachings of the underlying document to different circumstances. Abstracts function to alert a reader to disclosures of possible interest. They are little more reliable than headlines or brief newspaper articles.

Citation of an abstract without citation and reliance on the underlying scientific document itself is generally inappropriate where both the abstract and the underlying document are prior art. It is our opinion that a proper examination under 37 CFR Section 1.104 should be based on the underlying documents and translations, where needed. Accordingly, the preferred practice is for the examiner to cite and rely on the underlying document.

See *Ex parte Gavin*, 62 U.S.P.Q.2D (BNA) 1680

Applicant appreciates the Examiner's attempt to obtain a translation, however, without a translation of the full EP '949 reference, Applicant has not been provided with a full opportunity to further refute the Examiner's contention. Applicant requests that the Examiner obtain a full translation to substantiate the rejection or drop the rejections as rejections over an abstract translation alone are improper.

From the drawings alone, EP '949 discloses only a mounting for the stabilizer rod, not an anti-shift collar as recited in Applicant's claims. That is, EP '949, at best, discloses a type of

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mounting bracket more similar to Applicant's mounting bracket 36 (see Applicant's Figure 1) rather than an anti-shift collar as disclosed and claimed by Applicant. The claims are properly allowable for this reason alone.

Also aside from the lack of complete translation, EP '949 fails to disclose or suggest an anti-shift collar thermally formed *onto* a stabilizer bar. As illustrated in the EP '949 reference, and as previously discussed, nothing is applied *onto* the stabilizer bar g.

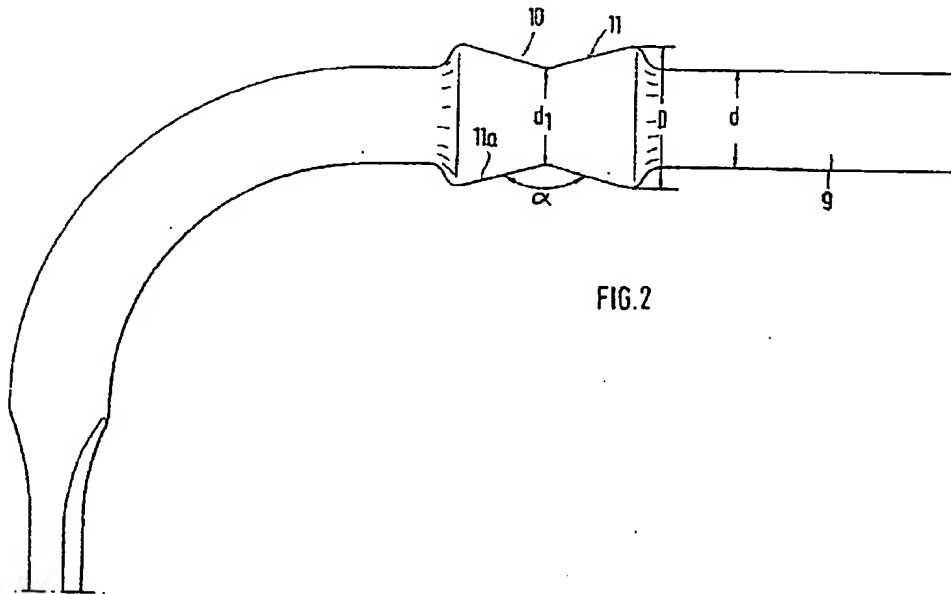


FIG. 2

Under any proper interpretation, the continuous depression 11 is formed *into* the stabilizer bar 9. This is further supported by the Examiner's own English translation which specifically recites "a continuous *depression*" that can only properly be interpreted as being into a surface rather than applied onto a surface as recited in Applicant's claims. Thus, even if the Examiner does not give patentable weight to the term thermally formed, the EP '949 reference fails to meet the onto limitation recited in Applicant's claims. All claims are properly allowable for this reason alone.

Furthermore, Applicant's dependent claims recite specific limitations which are neither disclosed nor suggested by the EP '949 reference.

Claim 14 specifically recites wherein said anti-shift collar comprises a solidified material atop an outer surface of said stabilizer bar. The EP '949 reference fails to disclose a solidified

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material *atop* an outer surface of the stabilizer bar. As discussed above, EP '949, at best, discloses only a depression formed into the bar.

Claim 15 recites wherein said anti-shift collar comprises a built up area upon an outer surface of said stabilizer bar. Again, in no way can EP '949 be properly interpreted as disclosing a built up area upon an outer surface of a stabilizer bar. Applicant here, as with claim 14, delineates that a solidified material or a built up area is located atop or upon an outer surface of the stabilizer bar. A depression, even which results in a continuous raised portion (12) of EP '949 is not located atop or upon an outer surface of the stabilizer bar, but is actually formed into the stabilizer bar. That is, if a section were taken through the bar, EP '949 would be a singular component while Applicant would have a first material atop or upon a second outer surface of the bar. Upon or atop distinguishes Applicant's claims from EP '949.

Claim 16 recites a localized application of a molten material onto an outer surface of said stabilizer bar. Again, claim 16 further delineates that a material is locally applied *onto* an outer surface of the stabilizer bar. EP '949 cannot meet this limitation.

Claim 17 recites wherein said array of raised areas comprise a plurality of discrete raised areas spaced apart from each other. EP '949 discloses no such discrete raised areas.

Applicant's independent claim 18 recites an anti-shift collar locally applied to an outer surface of said stabilizer bar. As discussed above, EP '949 cannot meet either the locally applied to an outer surface limitation as EP '949 is formed into the stabilizer bar.

Dependent claims 19 and 20 which depend from claim 18 include the applied to said outer surface limitations as generally discussed above. These limitations cannot be met by EP '949.

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Applicant respectfully submits that this case is in condition for allowance. Applicant believes that no additional fees are required; however, should any fees or extensions of time be required, the Commissioner is authorized to charge Deposit Account No.08-0385.

Respectfully Submitted,

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